

SCANNED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
CASE NO. 1:07-cv-06286-GBD

JUSTA C. MORALES, as personal  
representative of the estate of  
GUSTAVO A. MORALES,

Plaintiff,

v.  
CITIGROUP, INC. f/k/a THE NATIONAL  
CITY BANK OF NEW YORK,

Defendant.

1:07-cv-06282-GBD

MOTION TO ADMIT COUNSEL  
*PRO HAC VICE*

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Court for  
the Southern and Eastern Districts of New York, I, Rebecca J. Behr, a member in good standing  
of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of

Elena M. Marlow ✓  
Astigarraga Davis Mullins & Grossman, P.A.  
701 Brickell Avenue, 16<sup>th</sup> Floor  
Miami, Florida 33131  
Telephone: (305) 372-8282  
Facsimile: (305) 372-8202

Elena M. Marlow is a member in good standing of the Bar of the State of Florida.<sup>1</sup>

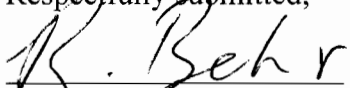
There are no pending disciplinary proceedings against Elena M. Marlow in any State or Federal  
court.

Dated: August 21, 2007

City, State: New York, NY

<sup>1</sup> Certificate of Good Standing, attached hereto as Exhibit "A."

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Behr", written over a horizontal line.

Rebecca J. Behr

SDNY Bar No. 4014536

Citigroup Global Markets, Inc.

388 Greenwich Street

17<sup>th</sup> Floor

New York, NY 10013

Telephone: (212) 816-3031

Facsimile: (646) 843-3635

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JUSTA C. MORALES, as personal  
representative of the estate of  
GUSTAVO A. MORALES,

Plaintiff,

v.

1:07 cv 06286 (GBD)

CITIGROUP, INC. f/k/a THE NATIONAL  
CITY BANK OF NEW YORK,

AFFIDAVIT OF REBECCA BEHR  
IN SUPPORT OF MOTION TO  
ADMIT COUNSEL *PRO HAC VICE*

Defendant.

\_\_\_\_\_  
State of New York     )  
                                  ) SS  
County of New York    )

Rebecca J. Behr, being duly sworn, here deposes and says as follows:

1. I am Rebecca J. Behr, counsel for the Defendant in the above captioned action. I am familiar with the proceeding in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendant's motion to admit Elena M. Marlow as counsel *pro hac vice* to represent Defendant in this matter.
2. I am a member in good standing of the bar of the State of New York and was admitted to practice law in 2001. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Elena M. Marlow since April 2007.<sup>1</sup>
4. Ms. Marlow is a shareholder of the firm of Astigarraga Davis Mullins & Grossman, P.A., at 701 Brickell Avenue, 16<sup>th</sup> Floor, Miami, Florida 33131, Telephone: (305) 372-8282.
5. I have found Ms. Marlow to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Jose I. Astigarraga, *pro hac vice*.

<sup>1</sup> Ms. Marlow is a shareholder of the firm Astigarraga Davis. Astigarraga Davis and Ms. Marlow, specifically, have represented Citigroup, Inc. in this and other matters, and I have been informed in that regard.

7. I respectfully submit a proposed order granting the admission of Elena M. Marlow, *pro hac vice*, which is attached hereto as Exhibit **B**.

WHEREFORE it is respectfully requested that the motion to admit Jose I. Astigarraga, *pro hac vice*, to represent Defendant in the above captioned matter, be granted.

Dated: August 21, 2007

Respectfully submitted,



Rebecca J. Behr  
SDNY Bar No. 4014536  
Citigroup Global Markets, Inc.  
388 Greenwich Street  
17<sup>th</sup> Floor  
New York, NY 10013  
Telephone: (212) 816-3031  
Facsimile: (646) 843-3635

SWORN TO AND SUBSCRIBED before me this 21 day of August, 2007.



Printed Name



**RODD CORNER**

Notary Public - State of New York

No. 01CO6169041

Qualified in New York County

My Commission Expires June 18, 2011

**EXHIBIT A**



# The Florida Bar

JOHN F. HARKNESS, JR.  
EXECUTIVE DIRECTOR

651 EAST JEFFERSON STREET  
TALLAHASSEE, FLORIDA 32399-2300

850/561-5600  
WWW.FLORIDABAR.ORG

State of Florida )

County of Leon )

In Re: 139858  
Elena Margarita Marlow  
Astigarraga Davis  
701 Brickell Ave., Fl. 16  
Miami, FL

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on May 4, 1998.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is a member of The Florida Bar in good standing.

Dated this 25<sup>th</sup> day of July, 2007.

A handwritten signature in black ink that reads "Willie Mae Shepherd". The signature is fluid and cursive.

Willie Mae Shepherd  
Supervisor, Membership Records  
The Florida Bar

WMS/smt20:R10

**EXHIBIT B**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JUSTA C. MORALES, as personal  
representative of the estate of  
GUSTAVO A. MORALES,

Plaintiff,

v.

1:07 cv 06286-GBC

CITIGROUP, INC. f/k/a THE NATIONAL  
CITY BANK OF NEW YORK,

Defendant.

ORDER FOR ADMISSION  
*PRO HAC VICE*  
ON WRITTEN MOTION

\_\_\_\_\_/

Upon the motion of Rebecca Behr, attorney for Defendant, Citigroup, Inc. f/k/a The National City Bank of New York ("Defendant"), and said sponsor attorney's affidavit in support:

IT IS HEREBY ORDERED that

Elena M. Marlow  
Astigarraga Davis Mullins & Grossman, P.A.  
701 Brickell Avenue, 16<sup>th</sup> Floor  
Miami, Florida 33131  
Telephone: (305) 372-8282  
Facsimile: (305) 372-8202

is admitted to practice *pro hac vice* as counsel for Defendant in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated:

\_\_\_\_\_  
United States District/Magistrate Judge



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JUSTA C. MORALES, as personal  
representative of the estate of  
GUSTAVO A. MORALES,

Plaintiff,

v.

1:07 cv 06286-GBC

CITIGROUP, INC. f/k/a THE NATIONAL  
CITY BANK OF NEW YORK,

DECLARATION OF SERVICE

Defendant.

---

John F. Burleigh, pursuant to 28 U.S.C. § 1746, declares and says as follows:

I served upon plaintiff Justa C. Morales a copy of the Motion to Admit Counsel Pro Hac Vice, and the supporting affidavit of Rebecca Behr, the certificate of good standing for Elena M. Marlow and the proposed order annexed thereto in the above-captioned action by first-class mail, by placing them in an envelope addressed to Plaintiff's counsel, with proper postage affixed thereto, and by causing that envelope to be deposited in a receptacle for deliveries by the United States Postal Service. The envelope was addressed as follows:

Omar Ortega, Esq.  
Dorta & Ortega, P.A.  
2222 Ponce de Leon Blvd., Suite 306  
Coral Gables, FL 33134

I swear under the penalties of perjury of the laws of United States that the foregoing is true and correct.

Dated: New York, New York  
August 22, 2007

  
John F. Burleigh